

EXAM 1 STUDY GUIDE CRIMINAL LAW

Chapter 1: Fundamentals of Criminal Law and Procedure

What is Criminal Law?

- Formal means of social control
- That branch of law prohibiting certain forms of conduct and imposing penalties on those who engage in prohibited behavior
- Core function is to punish wrongdoers

Substantive Law

- Prohibits certain forms of conduct by defining crimes and establishing the parameters of penalties
 - Possession of heroin, drunk driving i.e.

Procedural Law

- Regulates enforcement of the substantive law, the determination of guilt, and the punishment of those found guilty of crimes
 - Trial procedures, sentencing

3 Fundamental Principles

1. *Constitutional Supremacy*: criminal law and procedure is subordinate to the U.S Constitution
2. *Federalism*: division between the national government and the 50 states
3. *Separation of Powers*: the federal government and the states have separate/legislative, executive, and judicial branches

What is a Crime?

- Actus Reus or "wrongful act"
- Mens rea or "criminal intent"
 - Not the same as motive "guilty mind"
 - Having formed a mental purpose to act
 - Intentionally committed a prohibited act
 - Exceptions
- Felonies
 - More serious crimes
 - Imprisonment for more than 1 year
- Misdemeanors
 - Less serious
 - Imprisonment for less than 1 year

ND Classifications of Crime (N.D.C.C. 12-1-32-01)

- Class AA felony - max life without parole
- Class A felony - max of 20 years and/or \$20,000 fine
- Class B felony - max of 10 years and/or \$10,000 fine
- Class C felony - max of 5 years and/or \$10,000 fine
- Class A misdemeanor - max of 1 year or fine of \$3,000
- Class B misdemeanor - max of 30 days or fine of \$1,500
- Infraction - max fine of \$1,000

Law School Exam Study Guide

Sterling Test Prep, Frank J Addivinola



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Civil Procedure, Law Essentials Sterling Test Prep, Frank Addivinola, 2021-07-13 *Mastering the Law School Exam* Suzanne Darrow-Kleinhaus, 2007 Darrow Kleinhaus Mastering the Law School Exam is designed to provide students with a knowledgeable reasonable and rational voice to navigate the intricacies of law school exams The text offers a practical rather than theoretical approach by including examples that show students precisely how to do it and how to write it It examines each type of law school exam providing examples with detailed analysis of sample answers Numerous illustrations in the context of substantive law are included to help students learn to Fill the gap between what the professor refers to as learning to think like a lawyer and the actual means for doing so Create a successful path from note taking to outlining to exam writing Tailor individualized study programs Much more Law School Exams Charles R. Calleros, 2007 Well written and highly accessible this concise paperback guides law students step by step through procedures that will help them take exams successfully the author s style is accessible and reassuring recognizing that law students operate under severe time constraints he makes his points clearly and concisely starting with creative examples and illustrations in familiar nonlegal contexts the author introduces students to new concepts by analogy and then advances to more complex legal examples exercises and practice exams with a focus on essay questions and model answers help students identify their strengths and weaknesses plan strategies and organize their efforts the author addresses techniques for maximizing scores on several types of essay questions as well as on multiple choice and other objective questions the author helps students understand why the typical law school essay question requires a balanced analysis with arguments for both sides rather than identification of a clear answer assignments and exercises facilitate active learning In addition to teaching students analysis and exam taking skills Law School Exams Preparing and Writing to Win addresses exam anxiety with a helpful positive perspective The author helps students understand that a small degree of anxiety can serve as a productive motivator helps students learn how to reduce anxiety to a productive level by placing exams into proper perspective by preparing thoroughly and by adopting stress management techniques such as stretching meditation or motivational music *Evidence, Law Essentials* Sterling Test Prep, Frank Addivinola, 2021-06-28 Thousands of students use our study aids to prepare for law school exams and pass the bar This preparation guide describes the principles of substantive law governing the correct answers to evidence exam questions Law School Success in a Nutshell Ann M. Burkhart, Robert A. Stein, 2017 Softbound New softbound print book Understanding The Law School IRAC Language Cornerstone Law Publishing, 2014-11 This book is for exam preparation not an outline The writer s own bar essays were all published Look Inside In law school there is only one language and it is spoken even by lawyers out of law school It has varied accents and dialects it is woven into every law school issue and mind and it is called IRAC This hugely popular Cornerstone Law Books material explains it exposes it and perfects it for the young law school person and for the senior law school person It is thus also recommended for professors and tutors *Law School*

Exams Alex Schimel, 2018 Law School Exams A Guide to Better Grades is the complete handbook for students seeking to improve their performance in law school This book offers a concise and practical strategy that can be applied to almost any law school exam regardless of topic or level Alex Schimel is a Lecturer in Law at the University of Miami and a leading expert on law school academic success The new edition offers unique insights by reducing the exam format to a series of repeatable steps It also teaches students how to prepare for exams instead of preparing for class with proven time management and outlining techniques

Insider's Guide To Your First Year Of Law School Justin Spizman, 2007-03-13 They say that there are more students in law school than there are practicing lawyers If they're right then you need every possible advantage In this insider's guide Georgia State University School of Law student Justin Spizman helps you get the head start you need Whether you are considering law school or are already ensconced in the curriculum Spizman tells you what you need to know to survive and thrive With firsthand experience and interviews with both professors and practicing attorneys Spizman gives you the edge you need to manage your workload figure out what your professors really want get an edge on your future in the legal field determine the right type of law to pursue reduce stress and more In addition this guide addresses current issues that law students like you face every day including computers in the classroom electronic databases the Socratic method outlining and study tips balancing a heavy workload with everyday life and making time for friends and family The Insider's Guide to Your First Year of Law School promises to show you not only how to get through your first year but how to get ahead

Family Law, Governing Law Sterling Test Prep, Frank J Addivinola, 2022-01-02 Thousands of students use our study aids to prepare for law school exams and to pass the bar This preparation guide describes the principles of substantive law governing the correct answers to family law exam questions

First Year Law Students Exam Study Guide Kevin Holly, 2012-01-05 First Year Law Students Exam Study Guide contains study tips and concise single questions with answers compiled from Criminal Law Torts and Contracts which are the components of the First Year Law Students Exam It is comprehensive coverage of pertinent information found on the exam and is an excellent addition to your study program

Getting to Maybe Richard Michael Fischl, Jeremy R. Paul, 1999-05-01 Professors Fischl and Paul explain law school exams in ways no one has before all with an eye toward improving the reader's performance The book begins by describing the difference between educational cultures that praise students for right answers and the law school culture that rewards nuanced analysis of ambiguous situations in which more than one approach may be correct Enormous care is devoted to explaining precisely how and why legal analysis frequently produces such perplexing situations But the authors don't stop with mere description Instead Getting to Maybe teaches how to excel on law school exams by showing the reader how legal analysis can be brought to bear on examination problems The book contains hints on studying and preparation that go well beyond conventional advice The authors also illustrate how to argue both sides of a legal issue without appearing wishy washy or indecisive Above all the book explains why exam questions may generate feelings of

uncertainty or doubt about correct legal outcomes and how the student can turn these feelings to his or her advantage In sum although the authors believe that no exam guide can substitute for a firm grasp of substantive material readers who devote the necessary time to learning the law will find this book an invaluable guide to translating learning into better exam performance This book should revolutionize the ordeal of studying for law school exams Its clear insightful fun to read and right on the money Duncan Kennedy Carter Professor of General Jurisprudence Harvard Law School Finally a study aid that takes legal theory seriously Students who master these lessons will surely write better exams More importantly they will also learn to be better lawyers Steven L Winter Brooklyn Law School If you can t spot a fork in the law or a fork in the facts in an exam hypothetical get this book If you don t know how to play Czar of the Universe on law school exams or why get this book And if you do want to learn how to think like a lawyer a good one get this book It s quite simply stone cold brilliant Pierre Schlag University of Colorado School of Law Law Preview Book Review on The Princeton Review website Attend a Getting to Maybe seminar Click here for more information

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IRAC Law School Exam Study Guide William Eric Wolff, 2019-08-11 The technique in this book was derived from more than 150 actual contract law exams given by more than 40 professors at more than 15 law schools including but not limited to top ranked law schools such as Harvard Stanford and Berkeley Using answers provided by professors a system was developed for answering exam questions quickly and thoroughly The system was tested for speed and accuracy by using it to answer exam questions under timed conditions and comparing the system s answers with the professors answers Provided in this book are 10 partial exam questions and 4 full exam questions along with step by step instructions and a model answer for every question

The Practice of Law School Christen Civiletti Carey, Kristen David Adams, 2003 This handbook for aspiring lawyers coaches them to make the most of law school by taking charge of their education and burgeoning careers early on It provides current and future law students with invaluable information about the law school application process financing law school selecting classes evaluating study groups developing effective exam taking strategies choosing extracurricular activities and summer jobs preparing for the bar exam and balancing school with family life Demonstrated are the ways in which students can begin to think like practising lawyers and attain experience in law school that is relevant practical and essential to practising law in the real world [How to Do Your Best on Law School Exams](#) John Delaney, 1988

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Law School For Dummies Rebecca Greene,2011-04-27 The straightforward guide to surviving and thriving in law school Every year more than 40 000 students enter law school and at any given moment there are over 125 000 law school students in the United States Law school's highly pressurized super competitive atmosphere often leaves students stressed out and confused especially in their first year Balancing life and schoolwork passing the bar and landing a job are challenges that students often need help facing In Law School For Dummies former law school student Rebecca Fae Greene uses straight talk sound advice and gentle humor to help students sort through the swamp of coursework and focus on what's important all while maintaining a life She also offers rare insight on the law school

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